

TEACHERS' RETIREMENT BOARD
BENEFITS AND SERVICES COMMITTEE

SUBJECT: Consent Agenda

ITEM NUMBER: 3

ATTACHMENT(S): 2

ACTION: X

DATE OF MEETING: October 3, 2002

INFORMATION:

PRESENTER(S): Sandra Olivo

NAME: MICHAEL P. SVEDA

HEARING DATE: JULY 12, 2002

PROPOSED DECISION: Administrative Law Judge Eric Sawyer concluded by reason of facts presented that the respondent, Michael Sveda, did not establish that his wife would have selected an Option 2 Allowance had she received an Annual Statement in the year 2000 informing her that she was eligible to select a Pre-Retirement Election of an Option. Further, the respondent and his wife's failure to become aware that a Pre-Retirement selection could have been made once she was eligible to retire was not reasonable under the circumstances and was not the product of erroneous advice from CalSTRS agents. Staff recommends that the Board adopt the Proposed Decision to deny Michael Sveda's request to receive an Option 2 Survivor Benefit Allowance, since the Proposed Decision adequately reflects the issues and evidence presented at the hearing and the Determination of the Issue is adequately supported within the body of the decision.

PROPOSED

RESOLUTION
OF THE
TEACHERS' RETIREMENT BOARD
BENEFITS AND SERVICES COMMITTEE

Subject: Consent Agenda
Consideration of Proposed Decision

Resolution No. _____

WHEREAS, the Benefits and Services Committee has been delegated the authority by the Board to act finally on the following proposed decision; and

WHEREAS, the Committee has reviewed the following proposed decision: Michael P. Sveda, Request for Option 2 Survivor Benefit Allowance, Denied; and

WHEREAS, the Committee finds this in conformance with the guidelines adopted by the Board; Therefore be it

RESOLVED, That the proposed decision listed above is adopted.

Adopted by:
Benefits and Services Committee

On: October 3, 2002

JACK EHNES
Chief Executive Officer